

Senator Grace, Chairman Committee on Enrolled Bills, submitted the following report:

COMMITTEE ROOM, May 22, 1876.

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Enrolled Bills have carefully examined, compared and find correctly enrolled Senate Bill No. 36, entitled: "An Act to provide for the manner in which publication of notice of intention to apply for the passage of a local or special law, and proof of such publication shall be made." The same has been properly signed and presented to the Governor this day at 12:40 o'clock P. M., for his approval.

GRACE, *Chairman.*

Senator Brown moved to suspend the rules to take up a resolution from Judiciary Committee No. 1 in regard to sending for persons and papers in the matter of the memorial of Messrs. Merrick & Durant.

Lost.

Senate Bill No. 61, "An Act to divide Young and Bexar Territories into counties, and defining the boundaries thereof, and of certain other counties therein named," was taken up.

Senator Moore moved to adjourn until 10 A. M. to-morrow.

Lost.

Senator Thompson moved to insert the word, "Alamo," in place of the word, "Spence."

Senator Grace offered as a substitute to insert the name of, "Wright."

The substitute was adopted.

Senator Edwards moved that the bill be recommitted.

Senator Stephens made the point of order that a motion to amend had the precedence of a motion to recommit.

Point of order sustained.

Senator Ford moved to strike out the word, "White," as the name of one of the counties, and insert the words, "Deaf Smith."

Senator Crain moved as a substitute to insert the word, "Alamo."

Lost.

The amendment offered by Senator Ford was then adopted.

On motion of Senator Crain, the Senate adjourned until 10 A. M. to-morrow.

### THIRTIETH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, May 23, 1876. }

Senate met pursuant to adjournment. Roll called. Quorum present. Prayer by the Rev. Mr. Stanton, Chaplain of the House.

Journal of yesterday read and adopted.

On motion of Senator Storey, Senator J. R. Henry was excused on account of sickness.

Senator Blassingame, Chairman of Committee on Roads, Bridges and Ferries, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Roads, Bridges and Ferries, to whom was committed Senate Bill No. 84, entitled, "An Act authorizing the Court to provide for and regulate the construction and

county roads," have had the same under consideration, and present the accompanying bill as a substitute for the original, and recommend its passage.

BLASSINGAME, *Chairman.*

The caption of the substitute is as follows: "An Act to authorize the County Court to provide for and regulate the construction and repairing of county roads, and fixing the penalties therefor."

On motion of Senator Blassingame the reading of the substitute for Senate Bill No. 84, "An Act authorizing the County Court to provide for, and regulate the construction and repairing of county roads," was dispensed with by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Motley, Piner, Ripetoe, Stephens, Storey, Terrell, Thompson and Wortham—25.

NAYS—None.

Senator Martin, Chairman of the Committee on Agriculture, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Agricultural Affairs, to whom was referred Senate Bill No. 13, entitled, "An Act concerning mills and millers, and to prevent the taking of excessive tolls," have had the same under consideration, and beg leave to report the same back with the following substitute, to-wit: "An Act concerning mills and millers, and to regulate the taking of tolls," and recommend that the substitute do pass.

MARTIN, *Chairman.*

Bill read first time, and on motion of Senator Martin, 100 copies ordered printed.

Senator Thompson, from Judiciary Committee No. 2, submitted the following report from Judiciary Committees Nos. 1 and 2:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committees on Judiciary Nos. 1 and 2, to whom was referred a resolution requesting the report of said committees, "as to whether the one per cent. school-tax collected in 1873 can be refunded or not," have had the same under consideration, and beg leave to report that in their opinion it can be lawfully done.

HOBBY, *Chairman Committee No. 1.*

THOMPSON, *for Committee No. 2.*

Senator Hobby, Chairman of Judiciary Committee No. 1, submitted the following reports:

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 156, entitled, "An Act regulating the finance of the several counties of the State, and the mode and manner of keeping the accounts pertaining thereto," have had the same under consideration, and instruct me to report the bill back to the Senate and recommend its passage.

HOBBY, *Chairman.*

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 174, entitled, "An Act prescribing the times of holding the District Courts in the Twenty-second Judicial District," have had the same

under consideration, and instruct me to report the bill back to the Senate and recommend its passage. HOBBY, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred House Bill No. 36, entitled, "An Act authorizing the appointment of Notaries Public," have had the same under consideration, and instruct me to report the bill back to the Senate and recommend that it do not pass, as it has already been provided for in Senate Bill No. 23, which passed the Senate on May 22, 1876. HOBBY, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Engrossed Bill No. 1, entitled, "An Act to suspend the collection of the road tax," have had the same under consideration and instruct me to report the bill back to the Senate and recommend its passage." HOBBY, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 166, entitled, "An Act to provide for a special term of the District Court in Menard county," have had the same under consideration and instruct me to report the bill back to the Senate and recommend its passage. HOBBY, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 53, entitled, "An Act to provide for the payment of State witnesses in felony cases," have had the same under consideration and instruct me to report it back to the Senate with the accompanying substitute and recommend the passage of the substitute in its stead. HOBBY, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 140, entitled, "An Act to provide for filling vacancies in office of District Clerks and Constables," have had the same under consideration, and instruct me to report the bill back to the Senate with the following amendments, and recommend its passage, as amended:

In Section 1, after the word, "election," add the words, "in counties having a population of less than eight thousand inhabitants, the District Judges may appoint the County Clerk to perform the duties."

HOBBY, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 161, entitled, "An Act to tax as costs, a docket fee in civil cases, in the courts of record," have had the same under consideration and instruct me to report the bill back to the Senate and recommend that it do not pass. HOBBY, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 65, entitled, "An Act to provide for the collection of fines and costs from persons convicted of misdemeanors," have had the same



under consideration, and instruct me to report the bill back to the Senate with the following amendments, and recommend its passage, as amended :

In Section 1, line 10, after the word, "roads," insert, "or works."

Also add to the end of Section 1 the following: "And if there be no necessity for the employment of prisoners on such public roads and works, then it shall be the duty of the Sheriff to hire out said prisoners for the highest possible price to be obtained for them, to some responsible and humane person."

Add to Section 2, "and works, and if hired out he shall be entitled to a credit on said fine and costs for the full amount so paid for his services. And should such prisoner escape from custody, before said fine and costs are paid, he shall forfeit to the county the credits earned, and when recaptured, such prisoners shall be remanded to the custody of the Sheriff, until the entire fine and costs are paid.

HOBBS, *Chairman*.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred House Bill No. 126, entitled, "An Act to provide for the transfer of the cases in the late Criminal Courts of the State to the District Courts, and to legalize the proceedings of the District Courts in certain cases," have had the same under consideration, and instruct me to report the bill back to the Senate and recommend its passage.

HOBBS, *Chairman*.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Resolution, "requiring your committee to report, whether, under Section 49 of Article 3 of the Constitution, the limitation upon the power of the Legislature to create at any one time a debt greater than two hundred thousand dollars to supply deficiencies in the revenue, relates to the deficiencies existing prior to or occurring after the adoption of the Constitution," have considered the resolution, and I am instructed to say that it is the opinion of a majority of your committee that the limitation imposed upon the legislative power in the section cited, relates to only such deficiencies as may accrue since the adoption of the Constitution.

HOBBS, *Chairman*.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1, to whom was referred Senate Resolution, "asking whether an appropriation can be legally and constitutionally made to aid the old veterans of the Texas revolution of 1836, or to such of them as as will actually go to the Exposition at Philadelphia," have instructed me to report that such an appropriation is prohibited by Section 51 of Article 3, and Section 6 of Article 16 of the Constitution.

HOBBS, *Chairman*.

Senator Piner introduced a bill entitled: "An Act to amend Section 1 (Paschal's Digest, Article 1518) of an act entitled, 'An Act amending the several acts regulating the proceedings in the District Courts,'" approved February 14, 1860.

Read and referred to Judiciary Committee No. 2.

Senator McCulloch introduced a bill entitled: "An Act concerning the office of Sheriff."

Read and referred to Judiciary Committee No. 1.

Senator Thompson introduced a bill entitled: "An Act to amend Section 14 of an act entitled, 'An Act to regulate proceedings in the District Courts,'" passed May 13, 1846.

Read and referred to Judiciary Committee No. 2.

Senator Crain introduced a bill entitled: "An Act authorizing quarantine on the coast of Texas and elsewhere within the State."

Read and referred to Committee on Public Health and Vital Statistics.

Senator McLeary introduced a bill entitled: "An Act to encourage irrigation and navigation."

Read and referred to Committee on State Affairs.

Senator Terrell introduced a bill entitled, "An Act to establish an intermediate Court of Appeals."

Read and referred to Judiciary Committee No. 1.

Senator Crain, by leave, presented the petition of a committee appointed by a teachers' convention of Atascosa, with regard to the payment of teachers from the first of January to August 31, 1876.

Read and referred to Committee on Education.

Senator Francis introduced a bill entitled, "An Act regulating the incorporation of all cities of ten thousand inhabitants or less, and to provide for the substitution and repeal of all acts heretofore passed, incorporating said cities, which may be in force by virtue of any existing charter."

Read by caption and referred to Judiciary Committee No. 1.

Senator Ripetoe introduced a bill to be entitled: "An Act to prevent parties from enticing employes from their employers, or children from their parents or guardians."

Read and referred to Judiciary Committee No. 2.

Senator Hobby offered the following resolution:

*Resolved*, That the Calendar Clerk be required to hand the bills referred to each committee to the respective chairmen on or before 3 o'clock P. M. of the day on which the said bills are referred.

Adopted.

A message was received from the House announcing, the passage by that body of House Joint Resolution No. 210, granting leave of absence to Hon. Gustave Cook, and Senate Bill No. 35, "An Act to define and regulate the duties of County Clerks throughout the State."

Senator Francis introduced a bill entitled: "An Act in relation to bills, petitions, memorials and all other papers and documents used by the Legislature during its sessions."

Read and referred to Committee on State Affairs.

Senator McCulloch introduced a bill entitled: "An Act concerning depositions taken out of the State."

Read and referred to Judiciary Committee No. 2.

On motion of Senator Hobby, the vote taken on yesterday, whereby Senate Bill No. 23 was passed without taking the yeas and nays thereon, was reconsidered, and the bill then passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry. F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Stephens, Storey, Terrell, Thompson, Wortham—26.

NAYS—None.

On motion of Senator Thompson, the rule was suspended, and House

Joint Resolution No. 210, entitled, "Joint Resolution granting leave of absence to Hon. Gustave Cook," was taken up and read.

On motion of Senator Thompson, the rule was further suspended by the following vote:

YEAS—Senators Ball, Brown, Burton, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Stephens, Storey, Terrell, Thompson, Wortham—26.

NAYS—None.

The resolution was then read a second time.

On motion of Senator Thompson, the rule was further suspended, to place the resolution on its third reading, by the following vote:

YEAS—Senators Ball, Brown, Burton, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Stephens, Storey, Terrell, Thompson, Wortham—26.

NAYS—None.

The resolution was then read a third time, and passed by the following vote:

YEAS—Senators Ball, Brown, Burton, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Stephens, Storey, Terrell, Thompson, Wortham—26.

Senate Bill No. 61, "An Act to divide Young and Bexar territories into counties, and defining the boundaries thereof, and of certain other counties therein named," being the unfinished business, was taken up and read.

Senator McLeary offered the following amendment:

Amend by inserting the following:

"SEC. 2. The county of Hemphill is named in honor of John Hemphill, the first Chief Justice of the Supreme Court of Texas. The county of Wheeler is named in honor of Royal T. Wheeler, the second Chief Justice of the Supreme Court of Texas. The county of Lipscomb is named in honor of Abner S. Lipscomb, one of the Associate Justices of the first Supreme Court of Texas. The county of Collingsworth is named in honor of James Collingsworth, the first Chief Justice of the Republic of Texas. The county of Ochiltree is named in honor of W. B. Ochiltree, a distinguished Texan Judge. The county of Sherman is named in honor of Sidney Sherman, a distinguished soldier of San Jacinto. The county of Moore is named in honor of Commodore E. W. Moore, of the Texas Navy. The county of Hockley is named in honor of G. W. Hockley, who was Adjutant and Inspector-General at the battle of San Jacinto. The county of Martin is named in honor of Wiley Martin, the President of the Consultation. The county of Potter is named in honor of Robert Potter, a distinguished Texan in the days of the Republic. The county of Carson is named in honor of Samuel P. Carson, Secretary of State under the Republic. The county of Fisher is named in honor of S. Rhodes Fisher, a distinguished officer of the Republic. The county of Castro is named in honor of Henry Castro, a distinguished pioneer and colonizer of Texas. The county of Swisher is named in honor of James G. Swisher, who commanded a company at the storming of Bexar, in 1835, and was one of the signers of the Declaration of Texas Independence. The county of Briscoe is named in honor of Andrew Bris-



coe, who commanded a company at the battle of Concepcion, in 1835. The County of Childress is named in honor of George C. Childress, the author of the Declaration of Texan Independence. The county of Hansford is named in honor of John M. Hansford, one of the Judges during the Republic. The county of Hutchinson is named in honor of Anderson Hutchinson, one of the Judges during the Republic. The county of Dallam is named in honor of James W. Dallam, a laborious lawyer of the Texan Republic. The county of Oldham is named in honor of Williamson S. Oldham, Sr., a distinguished jurist and orator of Texas. The county of Gray is named in honor of Peter W. Gray, the learned and incorruptible Judge, the able advocate and unflinching patriot. The county of Donley is named in honor of Stockton P. Donley, one of the Supreme Judges of Texas. The county of Scurry is named in honor of William R. Scurry, who fought and died as a soldier should. The county of Randall is named in honor of H. Randall, who fell in battle at the head of his brigade. The county of Mitchell is named in honor of two brothers, Asa Mitchell, a member of the Consultation, and Eli Mitchel, who fired the first cannon in the Texas Revolution at Gonzales. The county of Howard is named in honor of Volney E. Howard, a distinguished orator and Congressman from Texas. The county of Nolan is named in honor of Philip Nolan, the great pioneer and scout, who explored Texas in 1800. The county of Deaf Smith is named in honor of Deaf Smith, the intrepid spy, who served his country so well in the revolution of 1836. The county of Lubbock is named in honor of Tom Lubbock, Colonel of the Terry Rangers. The county of Crosby is named in honor of Stephen Crosby, one of the Commissioners of the General Land Office. The county of Garza is named in honor of the family of that name, who were one of the first thirteen families who came from the Canary Islands, and founded San Antonio. The county of King is named in honor of W. King, one of the heroes who fell at the Alamo. The county of Stonewall is named in honor of the immortal T. J. Jackson. The county of Kent is named in honor of A. Kent, one of those who made the Alamo glorious. The county of Dawson is named in honor of Nicholas Dawson, who commanded the Texas troops at the Salado massacre, in 1842. The county of Lynn is named in honor of G. W. Lynn, one of those who baptized the altar of Texas with his life-blood at the Alamo. The county of Lamb is named in honor of Lieutenant Lamb, who fell at San Jacinto. The county of Hale is named in honor of Lieutenant J. C. Hale, who fell at San Jacinto. The County of Floyd is named in honor of D. Floyd, whose name is inscribed upon the monumental stone of the Alamo. The county of Motley is named in honor of Dr. William Motley, who was mortally wounded at the battle of San Jacinto. The county of Cottle is named in honor G. W. Cottle, who fell, fighting for Texas, at the Alamo. The county of Borden is named in honor of Gail Borden, an early Texas pioneer, afterwards distinguished in the scientific world. The county of Dickens is named in honor of J. Dickens, who sacrificed his life on the altar of Texas liberty at the Alamo. The county of Yoakum is named in honor of Henderson Yoakum, the historian of Texas. The county of Cockran is named in honor of ——— Cockran, an obscure private, who died at his post of duty in the Alamo. The county of Terry is named in honor of Frank Terry, whose name is inseparably linked with that other glorious name, "Texas Ranger."

The county of Bailey is named in honor of — Bailey, a name which cannot be entirely defaced from the monument of the Alamo. The county of Hall is named in honor of Warren D. C. Hall, who was Adjutant-General of the Texan Army in 1835. The county of Andrews is named in honor of Richard Andrews, the first Texan who fell in the Revolution, and who was killed at the battle of Concepcion, on the 28th of October, 1835. The county of Hartley is named in honor of the two brothers, O. C. and R. K. Hartley, distinguished members of the Texas bar. The county of Roberts is named in honor of John S. Roberts, one of the signers of the Declaration of Texan Independence, and other distinguished Texans of the same name. The county of Armstrong is named in honor of several early Texas pioneers of that name. The county of Parmer is named in honor of Martin Parmer, an eccentric Texan of the olden time, and one of the signers of the Declaration of Texan Independence. The county of Gaines is named in honor of James Gaines, an old Texan and valuable citizen.

Adopted.

Senator Piner moved to strike out the word, "obscure," alluding to Cockran.

Adopted.

Senator Edwards moved to strike out the name, "Parmer," and insert, "Nion."

Senator Grace moved to substitute "Wright," for "Irvin."

Senator Stephens moved the previous question, which was put and carried.

Senator Grace's motion was lost.

Senator Edwards' motion was lost, and the bill passed.

A message was received from the House, announcing the passage by that body, of the following bills, viz: Senate Bill No. 33, "An Act to repeal the act to regulate the removal of the disabilities of minors." Senate Bill No. 15, "An Act to repeal Article 76 of an 'An Act to adopt and establish a penal code for the State of Texas.'" Senate Bill No. 8, "An Act to amend Article 389, of 'An Act to establish a code of criminal procedure for the State of Texas.'" Senate Bill No. 9, "An Act to amend Article 771, of the criminal code," with amendments. Senate Bill No. 18, "An Act to amend Article 382, of the criminal code," with amendments.

The hour for the special order having arrived, being Senate Bill No. 19, entitled, "An Act to prescribe the order of determining cases in the Supreme Court," it was taken up, and on motion of Senator Terrell, was postponed until to-day three weeks.

On motion of Senator Hobby, the rules were suspended and Senate Bill No. 35, entitled, "An Act to define and regulate the duties of County Clerks throughout the State," returned from the House, with amendments, was taken up, and on motion of Senator Piner, the amendments of the House were concurred in.

The orders of the day were then taken up.

Senate Bill No. 68, entitled, "An Act to amend Section 48, of 'An Act to organize Justice Courts and to define the power and jurisdiction of the same,'" passed March 28, 1848, was taken up and read the third time.

Senator Piner offered the following amendment:

Senate Bill No. 68, in lines 28 and 29, strike out the words, "judged of



by the Justice," and insert, "governed by the law regulating challenges for cause, in the District Court."

Adopted.

Amend by inserting in line 35, after "shall," the words, "in all civil cases," and in line 43, after the word, "the," insert, "law and."

Adopted.

Senator Hobby offered the following amendment:

Strike out the caption, and insert as substitute, "An Act to amend Section 7, clause 8, of an act to organize Justices' Courts, and to define their jurisdiction and duties," approved August 13, 1870.

Adopted.

The bill was then passed.

On motion of Senator Ford, the rules were suspended, and House Bill No. 83, "An Act making an appropriation to pay Capt. McNelly's company, volunteer militia, for sixteen months' service on the Rio Grande, to July 1, 1876," was taken up, and read second time.

Senator Piner moved to suspend the rules and place the bill on its third reading, which was carried by the following vote:

YEAS—Senators Ball, Blassingame, Burton, Douglass, Francis, Ford, Grace, Guy, Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Motley, Piner, Ripetoe, Stephens, Storey, Terrell, Wortham—21.

NAYS—None.

Bill read third time, and passed by the following vote:

YEAS—Senators Ball, Blassingame, Burton, Douglass, Edwards, Francis, Ford, Grace, Guy, Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Motley, Ripetoe, Stephens, Storey, Terrell, Wortham—21.

NAYS—None.

A message was received from the House, announcing the passage by that body of House Bill No. 97, entitled: "An Act to amend an act entitled, 'An Act to prevent the herding of stock on certain lands therein named.'"

On motion of Senator Piner, the rules were suspended, and Senate Bill No. 9, "An Act to amend Article 771 of the penal code," with House amendments, was taken up.

Senator Stephens in the chair.

The amendments of the House were concurred in.

The substitute for Senate Bills Nos. 73, 74 and 86, entitled, "An Act to define the duties of County Attorneys, and regulate the performance of the same," was taken up and read third time.

The President in the chair.

Senator Terrell moved a call of the Senate, which was sustained.

Roll called, and the following Senators were absent: Senators Blassingame, Ford, Grace, Hobby, Ledbetter, Moore, Motley—7.

The absent members soon after appearing and taking their seats, on motion of Senator Burton, the call of the Senate was suspended.

Senator Piner offered the following amendment to Senate Bill No. 73 (substitute for Senate Bills Nos. 73, 74 and 86), "An Act to define the duties of County Attorneys, and regulate the performance of the same: "

"It shall be the duty of the County Attorneys to represent the State in all cases tried before examining courts; and for each case of felony, where the defendant is finally convicted, the County Attorney prosecuting the case shall be entitled to a fee of ten dollars for each prosecution, to be paid by the State. It shall further be the duty of the County

Attorney to represent the State in all *habeas corpus* cases, for which he shall receive a fee of twenty-five dollars, if the defendant be not discharged: *provided*, that in cases of felony, tried before an examining court, the County Attorney shall not be entitled to a fee if the defendant waives an examination."

Adopted.

On motion of Senator McLeary, the previous question was ordered, and the bill passed by the following vote:

YEAS—Senators Ball, Brown, Ford, Grace, Guy, Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Stephens, Story, Terrell, Wortham—20.

NAYS—Senators Douglass, Edwards, Francis—3.

On motion of Senator Terrell, Senate Bill No. 156, entitled, "An Act regulating the finances of the several counties of the State, and the mode and manner of keeping the accounts pertaining thereto," was taken up, and 100 copies, with report of committee, ordered printed.

On motion of Senator Ford, substitute for Senate Bills Nos. 80 and 82, "An Act to be entitled, 'An Act to create and establish the Bureau of Insurance, Statistics and History of Texas,'" was taken up and re-committed to Committee on Statistics of Industry, Public Health and History of Texas."

On motion of Senator McLeary, the rules were suspended, and Senate Bill No. 174, "An Act prescribing the times of holding the District Court in the Twenty-second Judicial District," was taken up, read second time and ordered engrossed.

Senator McLeary moved a suspension of the rules in order to place the bill on its third reading, which was carried by the following vote:

YEAS—Senators, Ball, Blassingame, Brown, Crain, Douglass, Edwards, Grace, Guy, Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Ripetoe, Storey, Terrell, Wortham—21.

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Story, Terrell, Wortham—24.

NAYS—None.

On motion of Senator Storey, the rule was suspended, and Senate Bill No. 166, "An Act to provide for a special term of the District Court in Menard County," was taken up, read second time and ordered engrossed.

On motion of Senator Storey, the rule was further suspended, to put the bill on its third reading, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Crain, Douglass, Francis, Ford, Grace, Guy, Henry F. M., Hobby, Ledbetter, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Storey, Wortham—21.

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry F. M., Hobby, Ledbetter, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Storey, Wortham—21.

NAYS—None.

Senate Bill No. 12, "An Act for the relief and support of the poor," was taken up, read first time, and amendments of the committee adopted.

On motion of Senator Grace, fifty copies were ordered to be printed and the bill made the special order for this day week.

Senator Storey, by leave, introduced a bill entitled: "An Act for the relief of the heirs of Lieutenant Samuel Wilson, deceased, who fell at Fannin's massacre, in the year 1836."

Read and referred to Judiciary Committee No. 1.

Senate Bill No. 30, "An Act to authorize the Secretary of State to furnish certain books to libraries of law schools," was taken up, read first time, and the report of the committee, recommending amendments, adopted.

Pending further action, on motion of Senator Grace, the Senate adjourned till to-morrow morning at 9:59 o'clock.

### THIRTY-FIRST DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, May 24, 1876. }

Senate met pursuant to adjournment. Prayer by the Chaplain.

Journal of yesterday read and adopted.

Senator Thompson presented the petition of numerous citizens of Fort Bend County, "protesting against the dismemberment of their county, or the cutting off any part of it, to form a new county."

Read and referred to Committee on Counties and County Boundaries.

Senator McCulloch, Chairman of the Committee on Statistics of Industry, Public Health and History of Texas, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Statistics of Industry, Public Health and History of Texas, to whom was referred Senate Bill No. 180, "An Act authorizing quarantine on the coast of Texas," have had the same under consideration, and I am instructed to report the same back, and recommend that it do not pass, for the reason that there is now a sufficient law on said subject. McCULLOCH, *Chairman.*

Senator Storey, Chairman of Finance Committee, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Finance Committee have had under consideration Senate Bill No. 168, entitled, "An Act to make an appropriation to supply a deficiency in the appropriation for the postage to be used in the office of the Secretary of State for the fiscal year, ending August 31, 1876," and I am instructed to report the bill to the Senate, with the recommendation that the same do pass. STOREY, *Chairman.*

Senator Thompson, from Judiciary Committee No. 2, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 2, to whom was re-committed Senate substitute for Senate Bills Nos. 2 and 44, entitled, "An Act to organize